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22 Co-Lead Counsel for Plaintiffs

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24 UNITED STATES DISTRICT COURT

25 NORTHERN DISTRICT OF CALIFORNIA

26 In re OPENWAVE SYSTEMS, INC.  
27 SHAREHOLDER DERIVATIVE  
28 LITIGATION

) Master File No. C-06-03468-SI

)  
) STIPULATION AND [PROPOSED] ORDER  
) TO CONTINUE HEARING ON CASE  
) MANAGEMENT CONFERENCE

19 This Document Relates To:

20 ALL ACTIONS.  
21

1 WHEREAS, on February 13, 2008 this Court issued a Notice scheduling a Case Management  
2 Conference (“CMC”) hearing on Friday March 28, 2008, at 2:00 pm;

3 WHEREAS, plaintiffs subsequently filed a Motion to Stay Consolidated Derivative Action  
4 Pending the Consideration of a Demand Pursuant to Rule 23.1 and Delaware Law on the Board of  
5 Directors of Nominal Party Openwave Systems, Inc. (“Motion to Stay”) on March 10, 2008;

6 WHEREAS, the hearing on the Motion to Stay is currently scheduled for April 18, 2008 at  
7 9:00 a.m.; and

8 WHEREAS, the parties have met and conferred and have agreed, subject to Court approval,  
9 to modify the scheduled date for the CMC hearing.

10 THEREFORE, IT IS, HEREBY STIPULATED AND AGREED by and among the parties  
11 through their respective counsel of record as follows:

12 The CMC hearing scheduled for March 28, 2008 at 9:00 a.m. shall be continued until April  
13 18, 2008 at 2:30 p.m.

14 IT IS SO STIPULATED.

15 DATED: March 21, 2008

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Co-Lead Counsel for Plaintiffs

*I, Suzanne H. Stevens, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order to Continue Hearing on Case Management Conference. In compliance with General Order 45, X.B., I hereby attest that Amy S. Park has concurred in this filing.*

DATED: March 21, 2008

SKADDEN, ARPS, SLATE, MEAGHER  
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AMY S. PARK

s/ Amy S. Park (signed with permission)

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Alain Rossman and Andrew Verhalen

1 *I, Suzanne H. Stevens, am the ECF User whose ID and password are being used to file this*  
2 *Stipulation and [Proposed] Order to Continue Hearing on Case Management Conference. In*  
3 *compliance with General Order 45, X.B., I hereby attest that Lee H. Rubin has concurred in this*  
4 *filing.*

5 DATED: March 21, 2008

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19 *Stipulation and [Proposed] Order to Continue Hearing on Case Management Conference. In*  
20 *compliance with General Order 45, X.B., I hereby attest that Paul J. Collins has concurred in this*  
21 *filing.*

22 DATED: March 21, 2008

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Attorneys for Nominal Defendant  
Openwave Systems Inc.

\* \* \*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED



DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 21, 2008.

s/ Suzanne H. Stevens

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## Manual Notice List

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